IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yuanqiao Rao, et al

IMAGING MATERIAL WITH IMPROVED SCRATCH RESISTANCE

Serial No. 10/633,806

Filed 04 August 2003

Group Art Unit: 1752

Examiner: Richard L. Schilling

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Christine Tolhurst
Christine Tolhurst

April 4, 2005
Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

DECLARATION PURSUANT TO 37 C.F.R. 1.131

We, Yuanqiao Rao and Joseph S. Sedita, state that we are joint inventors of the claimed subject matter of the above-referenced patent application, hereinafter referred to as the invention.

We have read and are familiar with Rao et al U.S. Patent 6,667,148, issued Dec. 23, 2003, based on U.S. Serial No. 10/341,747, filed Jan. 14, 2003, cited by the Examiner.

Prior to Jan. 14, 2003, and at the time the invention occurred, we were each employees of the Eastman Kodak Company in Rochester, New York, each being assigned to the Manufacturing and Research Engineering Organization (MREO) at Eastman Kodak Co.

Before Jan. 14, 2003, we conceived of and actually reduced to practice the claimed invention. This is demonstrated by the submission of contemporaneous records relating to the preparation and physical evaluation of the nanocomposite-containing layers in Examples S1-S8, spanning pages 23 to 27 of the specification of the above-referenced patent application.

Exhibit A is a contemporaneous record of the list of samples tested for scratch resistance, which is disclosed in the above-referenced patent application at pages 26 and 27.

Exhibit B is a contemporaneous record of the scratch test results on the list of samples included in Exhibit A and disclosed in the above-referenced patent application at pages 26 and 27, Table 5, and visually disclosed in Figs. 1-4.

Exhibit C is a contemporaneous record of the preparation of the samples for scratch testing listed in Exhibit A and disclosed in the above-referenced patent application at pages 26 and 27, Table 5.

Exhibit D is a contemporaneous record of the mechanical properties of the samples S1-S8 disclosed in the above-referenced patent application at pages 25 and 26, Table 3.

Exhibit E is a contemporaneous record of the mechanical test data for Young's Modulus and Break Strength of the samples S1-S8 disclosed in the above-referenced patent application at pages 25 and 26, Table 3.

Exhibit F is a contemporaneous record of the preparation of the samples for evaluation of mechanical properties disclosed in the above-referenced patent application at pages 25 and 26, Table 3.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 4/1/2005

Yuanqiao Rao

Date: 4/1/2005

Joseph S. Sedita

Joseph S. Sedita